

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated May 12, 2009, (hereinafter Office Action) have been considered. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

In view of the allowability of the subject matter of Claim 3, and without acquiescing to characterizations of the asserted art, Applicant's claimed subject matter, or to the applications of the asserted art or combinations thereof to Applicant's claimed subject matter, the independent claims have been amended to include the limitations of Claim 3. To provide proper consistency the appropriate limitations from Claim 3 have been added to each of the independent claims, for example, the limitations directed to a client device are added to independent Claim 1. Since the added limitations were already present in Claim 3, the changes do not introduce new matter; however, further support for the changes to the apparatus claims may be found in the instant Specification, for example, at paragraphs [0021]-[0022]. In addition to the presence of allowable subject matter in each of the independent claims, the pending claims are further believed to be patentable over the asserted references for the reasons set forth below.

Neither of the references upon which each of the rejections is based (Erlenkoetter and Frank) teaches or suggests device management related features between a device management server and a device management client. In contrast to the claimed device management, Erlenkoetter is directed to generating HTML code based on hypermedia objects. Notably, the only limitations asserted as being taught by Erlenkoetter are those related to retrieving a content of a data element. There is no suggestion in Erlenkoetter of assigning an identifier for a management object of a device management system in a device management tree, as now claimed.

Frank also fails to teach or suggest device management related features between a device management server and client such as assigning an identifier for a management object of a device management system in a device management tree. In contrast, Frank is directed to indexing and retrieving cached downloaded web objects. The cited portions of Frank relate to caching web objects - not device management objects. Moreover, Frank's

H-key (asserted as corresponding to the claimed coded, indexed content of a data element) is not assigned as an identifier of an object, but rather, a further modulus function is applied for the H-key (Col. 9, lines 8-12). As neither Erlenkoetter nor Frank teaches or suggests the limitations directed to a management object of a device management system, any combination thereof, would also fail to correspond to the claimed limitations. Without correspondence to each of the claimed limitations, the § 103(a) rejections would be improper. Applicant accordingly requests that each of the rejections be withdrawn.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

In addition, new Claims 21-29 have been added. Support for these claims may be found in paragraphs [0018], [0024]-[0027], [0033], and original Claim 4; therefore, these claims do not introduce new matter. Each of these claims is believed to be patentable over the asserted references for the reasons set forth above.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.050PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

HOLLINGSWORTH & FUNK, LLC
8009 34th Avenue South, Suite 125
Minneapolis, MN 55425
952.854.2700

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By: /Erin M. Nichols/

Erin M. Nichols
Reg. No. 57,125